DETAILED ACTION

This office action is responsive to communication filed on 05/03/2005.

Claim Objections

Claims 1 – 13 are objected to because of the following informalities: It is

suggested t delete the numbers and parentheses in the claims. Appropriate correction

is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly
claiming the subject matter which the applicant regards as his invention.

The claims are generally narrative and indefinite, failing to conform with current

U.S. practice. They appear to be a literal translation into English from a foreign

document and are replete with grammatical and idiomatic errors.

Claims 1 - 3 recite a method of providing a possibility of starting a communication

session from a first device ---------, but, since the claims do not set forth any steps

involved in the method/process, it is unclear what method/process applicant is intending

to encompass. A claim is indefinite where it merely recites a use without any active,

positive steps delimiting how this use is actually practiced.

Claims 1 - 3 are rejected under 35 U.S.C. 101 because the claimed recitation of

a method, without setting forth any steps involved in the process, results in an improper

definition of a process, i.e., results in a claim which is not a proper process claim under

35 U.S.C. 101. See for example *Ex parte Dunki*, 153 USPQ 678 (Bd.App. 1967) and

Clinical Products, Ltd. v. *Brenner*, 255 F. Supp. 131, 149 USPQ 475 (D.D.C. 1966).

Claims 10 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Claims 10 and 11 recite " a first device for connection ------- (claim 10); and a

second device for connection ------- (claim 11). The Examiner is unable to find out what

exactly Applicant is claiming. It appears that Applicant is claiming the first device and

the second devices separately. Applicant is kindly suggested to provide a "wherein

clause" in order to further define " the first and second devices " and make these claims

depend on claim 1.

Claims 1, 6, and 9 – 13 are rejected under 35 U.S.C. 112, second

paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention.

The term "possibility" in claims 1, 6, and 9 - 13 is a relative term which renders

the claim indefinite. The term "possibility" is not defined by the claim, the specification

does not provide a standard for ascertaining the requisite degree, and one of ordinary

skill in the art would not be reasonably apprised of the scope of the invention. It is not

understood by the examiner how the claims would be performed without such

possibility.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 11 – 13 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

For claims 11 – 13, a **program product not claimed as being stored on a memory and executed by a computer** is descriptive material per se and is not statutory subject matter. Therefore, such claims are software per se.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 - 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Herman Elderson (WO 99/30467; hereinafter Elderson).

Regarding claim 1, Elderson discloses a method of providing a possibility of starting a communication session from a first device (10) communicating via a first network (12) to a second device (14) connected to a second network (16), via an interface device (18) connected between the first network and the second network, wherein the first network has a first addressing realm and the second network has a

second addressing realm, and wherein the first device communicates via a first address (Ac) in the first addressing realm, the second device has a second address (As) in the second addressing realm, and the interface device has a third address (Ag) in the first addressing realm (see abstract), characterized in that the method comprises the following steps: the interface device receives a request (20) from the first device to provide the possibility of starting the session, the request including a designation (60) of the second device and a session specification (62, 64)(fig. 3; page 6, lines 3 - 6),determining a response for providing the possibility of starting the session (page 6, line 6 - 8), the interface device establishes a binding (94) for starting the session, the binding comprising binding the first address to the second address for the session specified (fig. 4; page 6, lines 9 - 25), and the interface device adapts the response to include the third address and sends the response (26) to the first device (page 6, lines 9 - 25).

Regarding claim 2, Elderson discloses a method as claimed in claim 1, wherein the step of determining a response comprises the following steps: the interface device sends the request (22) to the second device, the second device receives the request, the second device prepares the response, the second device sends the response (24) to the interface device, and the interface device receives the response (page 6, lines 9 - 25).

Regarding claim 3, Elderson discloses a method as claimed in claim 1, wherein the step of determining a response comprises the following steps: the interface device sends the request (22) to the second device, and the interface device, upon not

receiving an answer from the second device within a predetermined time interval after

sending the request, prepares the response (page 11, lines 2 - 31).

Regarding claim 6, Elderson discloses an interface device (18) for connection

between a first network (12) and a second network (16), the interface device providing a

possibility of starting a communication session from a first device (10) communicating

via the first network to a second device (14) connected to the second network, via the

interface device, where the first network has a first addressing realm and the second

network has a second addressing realm, and where the first device communicates via a

first address (Ac) in the first addressing realm, the second device has a second address

(As) in the second addressing realm, and the interface device has a third address (Ag)

in the first addressing realm (see abstract), characterized in that the interface device

comprises: a first input (30) for connection to the first network, for receiving a request

(20) from the first device to provide the possibility of starting the session, the request

including a designation (60) of the second device and a session specification (62, 64)

(fig. 3; page 6, lines 3 - 6), a first output (32) for connection to the first network, for

sending a response (26) to the first device (page 6, lines 6 - 8), a binding table (44) (fig.

4; page 6, line 9 - 15), and a control unit (42) arranged to: receive the request from the

first input (fig. 4; page 6, line 9 - 15), determine the response for providing the possibility

of starting the session (page 6, line 6 - 8), bind the first address to the second address

for the session specified and store the result (94) in the binding table (fig. 4; page 6,

lines 9 - 25), and adapt the response to include the third address and send the

response from the first output (page 6, lines 9 - 25).

Claims 7 – 13 incorporate substantively all the limitations of claim 1 – 6 with

minor modifications in the claimed language. The reasons for rejecting claims 1 – 6

apply to claims 7 – 13. Therefore, claims 7 – 13 are rejected for the same reasons.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Herman Elderson (WO 99/30467; hereinafter Elderson) in view of (Cook et al (US

7,043,564).

Regarding claim 4, Elderson discloses substantially all the limitations in claim 1, but fails to specifically disclose that the session specification comprises a first port number (Pc) related to the first address and a second port number (Ps) related to a service, the method further comprising the steps of: binding the first and second port numbers to the already bound first and second addresses, and associating the second port number with the third address.

However, Cook discloses such limitation (see fig. 4; col. 3, lines 19 – 40; col. 4, lines 54 – 62).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Elderson by having a first port number related to the first address and a second port number related to a service, and binding the first and second port numbers to the already bound first and second addresses, and associating the second port number with the third address as evidenced by Cook for the purpose of properly directing communication sessions between the first and second devices, thereby providing a reliable communication session.

Regarding claim 5, Elderson discloses substantially all the limitations in claim 1, but fails to specifically disclose that the session specification comprises a first port number (Pc) related to the first address and a designation of a service, the method further comprising the steps of: determining a second port number (Ps) related to the service, binding the first and second port numbers to the already bound first and second addresses, associating the second port number with the third address, and including the second port number in the response.

However, Cook discloses such limitation (see fig. 4; col. 3, lines 19 – 40; col. 4, lines 54 – 62).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Elderson by having a first port number (Pc) related to the first address and a designation of a service, the method further comprising the steps of: determining a second port number (Ps) related to the service, binding the first and second port numbers to the already bound first and second addresses, associating the second port number with the third address, and including the second port number in the response as evidenced by Cook for the purpose of properly directing communication sessions between the first and second devices, thereby providing a reliable communication session.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Philip K. Edholm (US 6,772,210) discloses a method and apparatus for exchanging communications between telephone number based devices in an internet protocol environment.

Dorenbosch et al (US 2002/0138622) discloses an apparatus and method of using long lived addresses in a private network for push messaging to mobile devices.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yves Dalencourt whose telephone number is (571) 272-3998. The examiner can normally be reached on M-TH 7:30AM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272 4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

October 26, 2008

/Yves Dalencourt/
Primary Examiner, Art Unit 2457